

CONTAINS NONPUBLIC DIGITAL INFORMATION

MAINE JUDICIAL BRANCH

Shane Atkinson Plaintiff

v.

~~Red Robin International Inc.~~ Defendant~~c/o Corporation Service Company~~ Address45 Memorial Circle
Augusta, ME 04330

"X" the court for filing:

☒ Superior Court ☐ District CourtCounty: SagadahocLocation (Town): Bath

Docket No.: _____

SUMMONS

M. R. Civ. P. 4(d)

The Plaintiff has begun a lawsuit against you in the ☐ District ☒ Superior Court, which holds sessions at (street address) 752 High Street, in the Town/City ofBathCounty of Sagadahoc

Maine. If you

wish to oppose this lawsuit, you or your attorney **MUST PREPARE AND SERVE A WRITTEN ANSWER** to the attached Complaint **WITHIN 20 DAYS** from the day this Summons was served upon you. You or your attorney must serve your Answer by delivering a copy of it in person, by mail, or by email to the Plaintiff's attorney,whose name and address, including email address appear below, or by delivering a copy of it in person or by mail to the Plaintiff, if the Plaintiff's name and address appear below. You or your attorney must also file the original of your Answer with the court by mailing it to: Clerk of ☐ District ☒ Superior Court,147 New Meadows Road

(Mailing Address)

West Bath

(Town, City)

Maine 04530

(Zip)

before, or within a reasonable time after, it is served. Court rules governing the preparation and service of Answers are found at www.courts.maine.gov.

IMPORTANT WARNING: If you fail to serve an answer within the time stated above, or if, after you answer, you fail to appear at any time the Court notifies you to do so, a judgment by default may be entered against you in your absence for the money damages or other relief demanded in the Complaint. If this occurs, your employer may be ordered to pay part of your wages to the Plaintiff or your personal property, including bank accounts and your real estate may be taken to satisfy the judgment. If you intend to oppose this lawsuit, do not fail to answer within the requested time.

If you believe the plaintiff is not entitled to all or part of the claim set forth in the Complaint or if you believe you have a claim of your own against the Plaintiff, you should talk to a lawyer. If you feel you cannot afford to pay a fee to a lawyer, you may ask the clerk of court for information as to places where you may seek legal assistance.

Date (mm/dd/yyyy): 09/21/2022Richard Regan, Esq.☒ Attorney for Plaintiff

(Seal of Court)

Regan Law LLC

Bar # (if applicable)

4 Union Park Road #7

Address

Topsham, ME 04086307-712-0283 richreganlaw@outlook.com

Telephone/Email

▶ Bethany Lagana
Clerk

ADA Notice: The Maine Judicial Branch complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation contact the Court Access Coordinator, accessibility@courts.maine.gov, or a court clerk.

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CV-030, Rev. 07/18
Summons

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HARRY McKENNEY
Chief Civil Deputy
KENNEBEC COUNTY
SHERIFF'S OFFICE

SEP 27 2022

CONTAINS NONPUBLIC DIGITAL INFORMATION

MAINE JUDICIAL BRANCH

STATE OF MAINE

_____ County

On (date) _____, I served the Complaint (and Summons, and Notice Regarding Electronic Service) upon Defendant _____ by delivering a copy of the same at the following address:

☐ to the above-named Defendant in hand.

☐ to (name) _____, a person of suitable age and discretion who was then residing at Defendant's usual residence.

☐ to (name) _____, who is authorized to receive service for Defendant.

☐ by (describe other manner of service): _____

Date (mm/dd/yyyy): _____

Deputy Sheriff Signature

Printed Name

Agency

Costs of Service:

Service:	\$ _____
Travel:	\$ _____
Postage:	\$ _____
Other:	\$ _____
Total	\$ _____

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**STATE OF MAINE
SAGADAHOC, ss.**

**SUPERIOR COURT
Civil Action
Docket No.**

SHANE ATKINSON,
of Bowdoinham, County of Sagadahoc
and State of Maine,

Plaintiff

vs.

RED ROBIN INTERNATIONAL INC.,
a Nevada Corporation with a place
of business in Augusta, County of
Kennebec, State of Maine

Defendant

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COMPLAINT

NOW COMES the Plaintiff Shane Atkinson, by and through counsel, and for cause of action alleges as follows:

1. On or about September 7, 2020, Defendant RED ROBIN INTERNATIONAL INC., Inc. owned and operated the Red Robin Gourmet Burgers and Brews Restaurant in Augusta, ME.
2. On or about September 7, 2020, in the early evening, Plaintiff Shane Atkinson went to the Red Robin Restaurant with family members to have a meal.
3. At some point during this evening, Mr. Atkinson went to the men's room.
4. In the men's room, Mr. Atkinson slipped violently on a foreign substance on the floor.
5. Defendant, its employees and/or its agents notify Mr. Atkinson or others in the restaurant of the foreign substance.
6. No warnings had been posted about foreign substance on the floor of the men's room.

7. Defendant, its employees and/or its agents anticipated that members of the public such as Shane Atkinson would go into the men's room.
8. Defendant, its employees and/or its agents owed Plaintiff Shane Atkinson a duty to exercise reasonable care in providing reasonably safe premises at the Red Robin Restaurant.
9. Defendant, its employees and/or its agents were aware or should have been aware of the condition of the floor where the Plaintiff fell.
10. Defendant, its employees and/or its agents owed Plaintiff Shane Atkinson a duty not to cause him personal injury through a negligent act or the negligent omission of an act.
11. Defendant, its employees and/or its agents breached their duty to the Plaintiff by neither removing the foreign substance nor providing warning signs near the area.
12. As a direct and proximate result of Defendants' conduct, Plaintiff Shane Atkinson fell in the men's room, suffering injuries including but not limited to
 - a. a right knee injury requiring surgery; and
 - b. general body trauma including but not limited to pain in other areas of the body as a result of his fall.
13. As a direct and proximate result of the Defendant's conduct, the Plaintiff has
 - a. endured and continues to endure pain, suffering and mental anguish;
 - b. incurred medical expenses and may continue to incur those expenses in the future;
 - c. suffered economic damages and
 - d. suffered loss of enjoyment of life.
14. A notice of claim dated March 31, 2022 was sent to the Defendant via certified mail return receipt requested.

WHEREFORE, Plaintiff Shane Atkinson demands judgment against the Defendant in an amount sufficient to compensate him fairly and reasonably for all past and future injuries and damages together with interest, costs of court, and such other and further relief as this Court may deem just and proper.

Dated at Topsham, Maine this 21st day of September 2022.



/s/ Richard Regan

Richard R. Regan, Esq.

Maine Bar No. 7949

Counsel for the Plaintiff

Regan Law LLC

4 Union Park Road #7

Topsham, ME 04086

207-712-0283

richreganlaw@outlook.com

MAINE JUDICIAL BRANCH

This summary sheet and the information it contains do not replace or supplement the filing and service of pleadings or other papers as required by the Maine Rules or by law. This form is required for the Clerk of Court to initiate or update the civil docket. The information on this summary sheet is subject to the requirements of M. R. Civ. P. 11.

I. COUNTY OF FILING OR DISTRICT COURT JURISDICTION ("X" the appropriate box and enter the County or location)

- ☒ Superior Court County: Sagadahoc
☐ District Court Location (city/town): Bath

II. NATURE OF THE FILING

- ☒ Initial Complaint
☐ Third-Party Complaint
☐ Cross-Claim or Counterclaim
☐ Reinstated or Reopened case

Docket No.: _____

If filing a second or subsequent Money Judgment Disclosure, give the docket number of the first disclosure.)

III. ☐ REAL ESTATE OR TITLE TO REAL ESTATE IS INVOLVED

IV. MOST DEFINITIVE NATURE OF ACTION

("X" in ONE box. If the case fits more than one nature of action, select the one that best describes the cause of action.)

GENERAL CIVIL

Constitutional/Civil Rights

- ☐ Constitutional/Civil Rights

Contract

- ☐ Debt Collection brought by a debt collector as defined by 32 M.R.S. § 11002 (*Contract Case Cover Sheet (CV-261) must be attached*)
☐ Other Contract (*Contract Case Cover Sheet (CV-261) must be attached*)

Declaratory/Equitable Relief

- ☐ Declaratory Judgment
☐ General Injunctive Relief
☐ Other Equitable Relief

Non-Personal Injury Torts

- ☐ Auto Negligence
☐ Libel/Defamation
☐ Other Negligence
☐ Other Non-Personal Injury Tort

Personal Injury Torts

- ☐ Assault/Battery
☐ Auto Negligence
☐ Domestic Tort
☐ Medical Malpractice
☐ Other Negligence
☐ Other Personal Injury Tort
☐ Product Liability
☒ Property Negligence

Statutory Actions

- ☐ Freedom of Access
☐ Other Statutory Action
☐ Unfair Trade Practice
Miscellaneous Civil
☐ Administrative Warrant
☐ Appointment of Receiver
☐ Arbitration Awards
☐ Common Law Habeas Corpus
☐ Drug Forfeiture
☐ Foreign Deposition
☐ Foreign Judgments
☐ HIV Testing
☐ Land Use Enforcement (80K)
☐ Minor Settlements
☐ Other Civil

- ☐ Other Forfeiture/Property Libel
☐ Pre-Action Discovery
☐ Prisoners Transfers
☐ Shareholders' Derivative Action

APPEALS (ADR EXEMPT)

- ☐ Administrative Agency (80C)
☐ Governmental Body (80B)
☐ Other Appeal

REAL ESTATE

Foreclosures

- ☐ Foreclosure (ADR exempt)
☐ Foreclosure (Diversion eligible)
☐ Foreclosure (Other)

Title Actions

- ☐ Boundary
☐ Easement
☐ Eminent Domain
☐ Quiet Title

Miscellaneous Real Estate

- ☐ Abandoned Road
☐ Adverse Possession
☐ Equitable Remedy
☐ Mechanics Lien
☐ Nuisance
☐ Other Real Estate
☐ Partition
☐ Trespass

CHILD PROTECTIVE CUSTODY

- ☐ Non-DHHS Protective Custody

SPECIAL ACTIONS

- ☐ Money Judgment Disclosure

Initial Complaint: A complaint filed as an original proceeding. A filing fee is required.

Third-Party Complaint: An original defendant's action against a third party that was not part of the original proceeding. A filing fee is required.

Cross-Claim: An original defendant's claim against another original defendant. No additional fee is required.

Counterclaim: An original defendant's claim against an opposing party. No additional fee is required.

Reinstated or Reopened Case: Money Judgment Disclosures or post-judgment motions.

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MAINE JUDICIAL BRANCH

V. M.R. Civ. P. 16B ALTERNATIVE DISPUTE RESOLUTION (ADR)

- ☐ I certify that pursuant to M.R. Civ. P. 16B(b), this case is exempt from a required ADR process because ("X" one box below):
- ☐ It falls within an exemption listed above (it is an appeal or an action for non-payment of a note in a secured transaction).
- ☐ The plaintiff or defendant is incarcerated in a local, state, or federal facility.
- ☐ The parties have participated in a statutory pre-litigation screening panel process with (name of panel chair) _____ that concluded on (date of panel finding - mm/dd/yyyy) _____.
- ☐ The parties have participated in a formal ADR process with (name of neutral) _____ on (date - mm/dd/yyyy) _____.
- ☐ The plaintiff's likely damages will not exceed \$30,000, and the plaintiff requests an exemption.
- ☐ The action does not include ADR pursuant to M.R. Civ. P. 16(a)(1).
- ☐ There is other good cause for an exemption and the plaintiff has filed a motion for exemption.

VI. PARTY AND ATTORNEY CONTACT INFORMATION

If you need additional space, list additional parties on an attachment and note "see attachment" in the appropriate section.

Please note: If a party is a government agency, use the full agency name or the standard abbreviation. If the party is an official within a government agency, identify the agency first and then the official, giving both name and title.

(a) PLAINTIFF(S)

("X" the box below to indicate the party type associated with the filing)

- ☒ Plaintiff(s)
- ☐ Third-Party Plaintiff(s)
- ☐ Counterclaim Plaintiff(s)
- ☐ Cross-Claim Plaintiff(s)

Is the plaintiff a prisoner in a local, state, or federal facility? ☐ Yes ☒ No

Name (first, middle initial, last): Shane Atkinson

Mailing address (include county): 297 River Road
Bowdoinham, ME 04008

Telephone: 207-837-5748

Email: _____

Name (first, middle initial, last): _____

Mailing address (include county): _____

Telephone: _____

Email: _____

(b) ATTORNEY(S) FOR PLAINTIFF(S)

If there are multiple attorneys, indicate the lead attorney. If all counsel do not represent ALL plaintiffs, specify which plaintiff(s) the listed attorney(s) represents.

Name and bar number: Richard Regan, Esq. Maine Bar No.: 7949

Firm name: Regan Law LLC

Mailing Address: 4 Union Park Road #7
Topsham, ME 04086

Telephone: 207-712-0283

Email: richreganlaw@outlook.com

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MAINE JUDICIAL BRANCH

Name and bar number: _____
Firm name: _____
Mailing Address: _____
Telephone: _____
Email: _____

(c) DEFENDANT(S)

("X" the box below to indicate the party type associated with the filing)

- ☒ Defendant(s)
☐ Third-Party Defendant(s)
☐ Counterclaim Defendant(s)
☐ Cross-Claim Defendant(s)

Is the defendant a prisoner in a local, state, or federal facility? ☐ Yes ☒ No

Name (first, middle initial, last): Red Robin International, Inc.
Mailing address (include county): c/o Corporation Service Company
45 Memorial Drive, Augusta, ME 04086
Telephone: _____
Email: _____

Name (first, middle initial, last): _____
Mailing address (include county): _____
Telephone: _____
Email: _____

(d) ATTORNEY(S) FOR DEFENDANT(S)

If there are multiple attorneys, indicate the lead attorney. If all counsel do not represent ALL defendants, specify which defendant(s) the listed attorney(s) represents.

Name and bar number: _____
Firm name: _____
Mailing Address: _____
Telephone: _____
Email: _____

Name and bar number: _____
Firm name: _____
Mailing Address: _____
Telephone: _____
Email: _____

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MAINE JUDICIAL BRANCH

(e) PARTIES IN INTEREST

Name (first, middle initial, last): _____
Mailing address (include county): _____

Telephone: _____
Email: _____

Name (first, middle initial, last): _____
Mailing address (include county): _____

Telephone: _____
Email: _____

(f) ATTORNEY(S)

If there are multiple attorneys, indicate the lead attorney. If all counsel do not represent ALL parties in interest, specify which parties in interest the listed attorney(s) represents.

Name and bar number: _____
Firm name: _____
Mailing Address: _____

Telephone: _____
Email: _____


Name and bar number: _____
Firm name: _____
Mailing Address: _____

Telephone: _____
Email: _____

VII. RELATED CASE(S) IF ANY

Case name: _____
Docket Number: _____
Assigned Judge/Justice: _____

Date (mm/dd/yyyy): 09/21/2022

► 
Signature of Plaintiff or Lead Attorney of Record

Richard Regan
Printed Name of Plaintiff or Attorney

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CONTAINS NONPUBLIC DIGITAL INFORMATION MAINE JUDICIAL BRANCH

Complete the caption that applies to your case:

☒ Shane Atkinson Plaintiff/Petitioner

V.

Red Robin International, Inc. Defendant/Respondent
Other Party

"X" the court for filing:

☒ Superior Court ☐ District Court☐ Unified Criminal Docket☐ Supreme Judicial Court

County: Sagadahoc

Location (Town): Bath

Docket No.:

OR

☐ IN RE: _____

NOTICE REGARDING ELECTRONIC SERVICE

NOTICE TO PARTIES: All parties who are represented by an attorney are subject to the requirements of Electronic Service under Rule 5 of the Maine Rules of Civil Procedure, and Rule 49(d) of the Maine Rules of Unified Criminal Procedure.**OPT IN:** If you do not have an attorney, papers that must be served on you by other parties in this case will be sent to you through the regular mail to your address of record. But **you have a choice** to allow other parties to serve you by sending documents electronically to your designated email address.**PLEASE NOTE:** Any electronic service that you opt into applies only to papers served on you by other parties. It does not apply to documents that are sent to you by the court or documents that you file with the court.**Even if you opt in to allow service by email, you can only send documents to the other parties by email if (1) they also opt in by completing this form, and (2) you can scan and create .pdf files of documents.****If you choose not to opt in, you do not need to do anything.** If you would like to receive papers electronically, you must meet the requirements set forth below. Check the appropriate box(es), sign, and mail or email the form to all other parties in the case. Do not file this form with the Court.☐ **Electronic Receipt:** I choose to OPT IN to allow other parties to email me documents in this case. I have reviewed and meet all of the following electronic receipt requirements:

- ☐ I have a trusted email account and I have daily access to this account;
- ☐ I understand that I will receive time-sensitive documents through this email address including documents that may require me to take action in this case;
- ☐ This email account has available electronic storage of at least 1 gigabyte;
- ☐ This email account accepts emails with attachments of up to 10 megabytes; and
- ☐ I will be able to maintain this email account throughout this case.

Date (mm/dd/yyyy): _____

Signature of Self-Represented Party
(You do not have to print and sign this form. Typing your name above after /s/ will be accepted as an electronic signature.)

Print name: _____

Print email address: _____

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